

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

MFA.No. 663 of 2000()

OPMV.1375/1989 of MOTOR ACCIDENT CLAIMS TRIBUNAL, KOTTAYAM

.....

APPELLANT:

**THE ORIENTAL INSURANCE CO.LTD, KOTTAYAM
REP.BY THE ASSISTANT MANAGER, MOTOR THIRD
PARTY CLAIMS CELL, KOCHI, REGIONAL OFFICE
METRO PALACE, OPPOSITE NORTH RAILWAY STATION
ERNAKULAM**

BY ADV. SRI.M.JACOB MURICKAN

RESPONDENTS:

- 1. JANAKY, W/O RAMANKUTTY, PONDASSERIL
HOUSE, CHEMBU P.O., VAIKOM**
- 2. BABU, S/O KRISHNAN, VADAKARA HOUSE
THALAYOLAPARAMBU, KOTTAYAM DISTRICT**
- *3. BAIJU, VADAKARA HOUSE, THALAYOLAPARAMBU**
- 4. K.J.MATHEW, KOCHIRAYIL P.O., KADAVOOR (Deleted)**
- 5. VIJAYAN, BIJISH BHAVAN, PADINJAREKARA P.O.**
- 6. UNITED INDIA INSURANCE CO., TRIPUNITHURA**

ADDITIONAL RESPONDENTS

- *7. SHEELA, W/O LATE BABU VADAKARA HOUSE
THALAYOLAPARAMBU, KOTTAYAM DISTRICT**

MFA.NO.663/00

***8. ARCHANA, D/O LATE BABU, VADAKARA HOUSE
THALAYOLAPARAMBU, KOTTAYAM DISTRICT**

**9. JANAMMA, W/O LATE KRISHNAN, VADAKARA HOUSE
THALAYOLAPARAMBU, KOTTAYAM DISTRICT**

**Respondents 7 to 9 (legal representatives of the deceased 2nd respondent)
impleaded vide order dated 21/11/2007 on C.M.P.No.8510/01**

*** Respondents 3, 7 & 8 are recorded as the legal representatives of the deceased 9th
respondent vide order dated 21/11/2007 in I.A.No.2705/07**

**Respondent No.4 is deleted from the party array as per the order dtd. 24/3/03 in
C.M.P.No.8511/01 at the risk of the petitioner.**

**BY ADV. SRI.GEORGE KARITHANAM VARGHESE
SMT.P.A.REZIYA**

**THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 21/11/2007
ALONG WITH M.F.A.NO.741/00, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

ORDER ON C.M.P.NO.662/01 IN M.F.A.NO.663/00

Dismissed.

21/11/2007

Sd/-
K.S.RADHAKRISHNAN, JUDGE

Sd/-
T.R.RAMACHANDRAN NAIR, JUDGE.

K.S.RADHAKRISHNAN & T.R.RAMACHANDRAN NAIR, JJ.

M.F.A.Nos. 663,741 OF 2000

Dated this the 21st day of November, 2007

JUDGMENT

Radhakrishnan, J.

This court disposed of similar matters in M.F.A.No.758/00 and also M.F.A.No.746/00. In such circumstances, these appeals are disposed of recording the submission of the counsel for the Insurance Company that the Company is ready to deposit 50% of the amount awarded within two months from today. Liberty is given to the Insurance Company to deposit the amount and recover the same from the insured's legal representatives. The amounts already deposited will be disbursed to the respondents.

Appeals are disposed of as above.

**K.S.RADHAKRISHNAN
JUDGE**

**T.R.RAMACHANDRAN NAIR
JUDGE**

SV.